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ATTORNEY FOR JUAN AND EMIGDIA SILVA

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

CASE NO. 09-43881-DML-13

JUAN JOSE SILVA

CHAPTER 13

EMIGDIA CISNEROS SILVA

DEBTORS

JUDGE D. MICHAEL LYNN

DEBTOR'S MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION
DATE: OCTOBER 8, 2012

TO THE HONORABLE BANKRUPTCY JUDGE:

Pursuant to 11 USC 1329 the Debtor requests the following modification(s) to the Debtor's original or last modified Chapter 13 plan:

History of Case

PETITION DATE:	July 1, 2009
341 DATE:	August 11, 2009
CONFIRMATION DATE:	January 5, 2010

TOTAL PAID IN:	\$36,430.00
OLD PLAN BASE:	\$50,430.00

Changes to Trustee Payments

Change monthly payment amount from \$720.00 per month to the following: \$380.00 per month for 20 months.

NEW PLAN BASE AMOUNT \$44,030.00

Changes to Payments to Creditors

Change treatment of the following claim(s):

Name	Collateral	Treatment	Claim No.	Sched. Class	Claim Amount	Amount	%Rate	Value
FROM:								
JP Morgan Chase Bank	Homestead	Pro-Rata	5 (Tee #40) S		\$18,880.00	\$16,605.70	N/A	\$144,730.00
TO:								
JP Morgan Chase Bank	Homestead	Pay Direct	5 (Tee #40) S		\$18,880.00	\$16,605.70	N/A	\$144,730.00

The automatic stay shall be lifted and the Trustee shall case disbursement on account of any surrendered collateral as indicated above, without further order of the Court as of the date of filing hereof, pursuant to Paragraph 4e of General Order 2006-8.

Distribution to Unsecured Creditors

To the extent the Base Amount exceeds the amount needed to pay all allowed Secured, Priority and Administrative Claims in full, such excess shall be paid pro-rata to timely filed allowed non-penalty general unsecured claims up to 100%, with any remaining balance refunded to Debtors.

Reason for Modifications

- (1) To cure plan arrears to the Trustee, if any.
- (2) To provide or modify treatment for Secured, Priority or Unsecured claim not previously provided for.
- (3) To make plan sufficient (based on allowed claims).
- (4) To modify the Unsecured Creditors' Pool from \$_____ to \$_____.
- (5) To set aside any pending interlocutory order.
- (6) Other: *to change JP Morgan Chase Bank from pro-rata to pay direct since Chase has stopped taking payments from the Trustee on this loan.*

All other provisions as set forth in the last confirmed plan remain the same.

Debtor's attorney fee for this modification

Total amount of \$400.00, of which \$400.00 will be paid through the plan by the Trustee pro rata, after payment of specified monthly payments and before any other pro rata payments.

All other provisions as set forth in the last confirmed plan remain the same.

Date: October 8, 2012

/s/ Mark B. French

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